

manner prescribed in §1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The Administrator's decision to deny or suspend the service shall be effective upon such oral or written notification, whichever is earlier, to the applicant or recipient of service. If such notification is oral, the Administrator shall confirm such decision and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the applicant or recipient of service, in the manner prescribed in §1.147(b) of the rules of practice (7 CFR 1.147(b)). In other cases prior to the institution of proceedings for denial of service under this paragraph, the facts or conduct which may warrant such action shall be called to the attention of the person involved, in writing, and he shall be given an opportunity to demonstrate or achieve compliance with all applicable requirements.

[23 FR 9982, Dec. 23, 1958; 25 FR 9642, Oct. 7, 1960. Redesignated at 30 FR 4195, Mar. 31, 1965, and 35 FR 15554, Oct. 3, 1970, and amended at 43 FR 11147, Mar. 17, 1978]

#### § 350.7 Fees and charges.

(a) Fees and charges for service under the regulations in this part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant of a statement as to the amount due.

(c) The fees to be charged and collected for service under the regulations in this part shall be at the rates specified in §§391.2, 391.3, and 391.4 respectively for base time; for overtime including Saturdays, Sundays, and holidays; and for certain laboratory services which are not covered under the base time, overtime, and/or holiday costs. Such fees shall cover the costs of the service and shall be charged for the time required to render such services. Where appropriate, this time will include, but will not be limited to, the time required for travel of the inspec-

tor or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

[23 FR 9982, Dec. 23, 1958, as amended at 53 FR 13397, Apr. 22, 1988; 54 FR 6389, Feb. 10, 1989]

#### § 350.8 Scope and applicability of rules of practice.

The rules of practice of the Department of Agriculture in subpart H of part I, subtitle A, title 7 of the Code of Federal Regulations, are the rules of practice applicable to adjudicatory, administrative proceedings under the regulations in this part (9 CFR part 350).

[43 FR 11147, Mar. 17, 1978]

### PART 351—CERTIFICATION OF TECHNICAL ANIMAL FATS FOR EXPORT

#### DEFINITIONS

##### Sec.

351.1 Meaning of words.

351.2 Terms defined.

#### SCOPE OF CERTIFICATION SERVICE

351.3 Kind of service.

#### PROCEDURE FOR OBTAINING SERVICE: ADMINISTRATION OF PROGRAM

351.4 Application for certification service.

351.5 Conditions of eligibility for certification service; review of applications.

351.6 Official number.

351.7 Administration of certification service program.

#### FEEES

351.8 Charges for surveys of plants.

351.9 Charges for examinations.

#### FACILITIES AND OPERATIONS

351.10 Facilities.

351.11 Identification and separation of technical animal fats for certification and materials for use therein; removal of wrappers, etc.; cleaning of equipment.

351.12 Circuit supervisor to be informed when plant operates.

351.13 Inspectors to have access to certified plants at all times.

351.14 Processes to be supervised; extent of examinations.

351.15 Reports of violations.